IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.19160 of 2008
JANARDAN PRASAD
Versus
STATE OF BIHAR
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3 6.8.2008 Heard learned counsel for the petitioner and the State.

F.I.R. has been registered for the offence under sections 7(4),4,5,20(1)C,28(i)(A) of the Fertilizer Control Act.

The learned counsel for the petitioner submits that from the premises of the petitioner 20 bags of Urea, 6 bags of D.A.P., 1 bag of M.D.R., 4 bags of wheat and 2 bags of zyme were seized. Even it is assumed that the petitioner is a retail proprietor of fertilizer quantity which has been seized is less than 100 quintal. As per Government Notification, no registration or licence is required. It has also been submitted that the petitioner is a farmer and fertilizes were purchased for his own use.

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Considering the above facts, the prayer for anticipatory bail is allowed. If the petitioner (Janardan Prasad) surrenders within four weeks from today, he shall be released on bail on furnishing bail bond of Rs 10,000/- (rupees ten thousand) with two sureties of the like amount

each to the satisfaction of the Chief Judicial Magistrate, West Champaran (Bettiah) in Nautan (Jagdishpur) P. S. Case no.282/07 subject to the condition as laid down under section 438(2) Cr.P.C.

shahid **(Mridula Mishra, J)**

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